

# Local Rules of the Superior Court of California, County of Alameda

## Title 4. Criminal and Traffic Rules

### Chapter 2. Criminal Rules

#### Rule 4.115 – Emergency Rule Adopting Temporary Emergency Bail Schedule

Pursuant to subsection (b) of Emergency Rule 4 as adopted by the Judicial Council of California (JCC) on April 6, 2020, the Court hereby adopts the JCC Emergency Bail Schedule set forth in Emergency Rule 4, effective April 8, 2020.

In addition to its adoption of the JCC Emergency Bail Schedule, and as permitted under subsection (e)(2) of Emergency Rule 4, the following local Alameda County Superior Court emergency bail schedule is also adopted:

- (1) Infractions: \$0.00
- (2) Violations for failure to comply with terms of felony supervision, including felony probation, parole, or post release community supervision, that do not include the alleged commission of a new offense otherwise provided for in Emergency Rule 4: \$5,000

The Court also clarifies that setting \$0.00 bail is intended to authorize the citation and release of arrestees. It is not the same as declining to set bail or entering a “no bail” order. Accordingly, if necessary for technical reasons, law enforcement agencies may enter a bail amount of \$0.01 in their case management systems for any offense that would otherwise have a bail amount of \$0.00 under Emergency Rule 4 or as indicated above.

~~During the COVID-19 crisis, and as authorized by the Chairperson of the Judicial Council, the Uniform Bail Schedule is suspended and the following emergency bail schedule is adopted:~~

- ~~(1) Infractions – \$0.00.~~
- ~~(2) Misdemeanor offenses – \$5,000.00 for any misdemeanor offense enumerated in Penal Code section 1270.1; \$0.00 for all other misdemeanor offenses.~~
- ~~(3) Felony offenses – For felony offenses carrying a maximum of up to 4 years in state prison, except for those felony offense specifically enumerated in Penal Code section 1270.1, bail shall be set at \$0.00 unless the conduct for a non-enumerated felony qualifies for enhancement under the law. In such cases, the bail shall be set at the amount provided for in Local Rule 4.410.~~
- ~~(4) Misdemeanor probation violations – \$500.00.~~
- ~~(5) Felony probation violations – \$5,000.00.~~

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~~(6) Post Release Community Supervision violations - \$5,000.00.~~

~~(7) Parole Violations - 5,000.00.~~

*Rule 4.115 amended April 8, 2020; previously amended April 3, 2020; adopted effective April 3, 2020.*